

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CRAIG CUNNINGHAM,)	
)	
Plaintiff,)	
)	NO. 3:16-cv-2629
v.)	JUDGE RICHARDSON
)	
RAPID CAPITAL FUNDING, LLC/RCF,)	
et al.,)	
)	
Defendants.)	

ORDER

Pending before the Court is a Report and Recommendation of the Magistrate Judge (Docket No. 139), to which no Objections have been filed.

The failure to object to a report and recommendation releases the Court from its duty to independently review the matter. *Frias v. Frias*, No. 2:18-cv-00076, 2019 WL 549506, at * 2 (M.D. Tenn. Feb. 12, 2019); *Hart v. Bee Property Mgmt.*, Case No. 18-cv-11851, 2019 WL 1242372, at * 1 (E.D. Mich. March 18, 2019) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The district court is not required to review, under a *de novo* or any other standard, those aspects of the report and recommendation to which no objection is made. *Ashraf v. Adventist Health System/Sunbelt, Inc.*, 322 F. Supp. 3d 879, 881 (W.D. Tenn. 2018); *Benson v. Walden Security*, Case No. 3:18-cv-0010, 2018 WL 6322332, at * 3 (M.D. Tenn. Dec. 4, 2018). The district court should adopt the magistrate judge's findings and rulings to which no specific objection is filed. *Id.*

The Court has reviewed the Report and Recommendation and the file. Not only did Plaintiff fail to object to the Report and Recommendation, but he also failed to file any opposition to the pending Motion to Dismiss. The Report and Recommendation is adopted and approved.

Accordingly, the Motion to Dismiss filed by CallerID4, Luis Martinez, GIP Technology, Inc., Ada Maduno, and Paul Maduno¹ (Doc. No. 132) is **GRANTED**, and Plaintiff's claims against Defendants CallerID4, Luis Martinez, GIP Technology, Inc., Ada Maduno, and Paul Maduno are **DISMISSED** with prejudice. In addition, Plaintiff's claims against the John and Jane Does 1-5 are **DISMISSED** without prejudice for failure to obtain service of process upon them in accordance with Fed. R. Civ. P. 4(m).

IT IS SO ORDERED.



ELI RICHARDSON
UNITED STATES DISTRICT JUDGE

¹ The Report and Recommendation refers to these Defendants as “the Gateway Defendants.” Doc. No. 139 at 2. This appears to be in error (or at least inexact), as the only Defendant with “Gateway” in its name is Gateway Sales and Marketing, LLC, which has not moved to dismiss the claims against it.